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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Michel H. Klein et al.
Appl'n. No. : 09/479,240
Filed : January 7, 2000
Title : CHIMERIC IMMUNOGENS
Docket No. : 1038-1000

May 7, 2004

BY COURIER

The Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
U.S.A.

PETITION TO REVIVE UNINTENTIONALLY ABANDONED APPLICATION**UNDER 37 C.F.R. 1.137(b)**

This application stands abandoned for failure to file a response to the Advisory Action of July 29, 2003. The abandonment of the application was unintentional.

The sole issue raised in the Office Action September 9, 2002 was an objection raised by the Examiner with respect to alleged new matter. Applicants timely appealed this issue and filed an Appeal Brief. The Examiner determined the issue was not appealable but identified that the issue was petitionable.

Applicants then filed a Petition with respect to the issue. A Petition Decision dated March 9, 2004 determined that the objection was not appealable but should be handled by Petition. However, the Petition Decision also determined that the Petition was untimely filed and was dismissed. A request for reconsideration and renewed petition were permitted to be filed within two months, i.e. May 9, 2004.

In support of this Petition, submitted herewith are:

1. Continuation Application.
2. Cheque in the amount of the Petition.
3. It is hereby stated under the signature of the undersigned that the delay was unintentional.

Under the circumstances, it is submitted that the application ought be revised for the purpose of timely filing of the continuation application.

Respectfully submitted,



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